

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
WOODY ALLEN,  
:  
Plaintiff,  
:  
-against- 08 Civ. 3179 (TPG)(KNF)  
:  
AMERICAN APPAREL INC.,  
:  
Defendant.  
:  
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**Proposed Voir Dire Questions Submitted by Plaintiff Woody Allen**

Plaintiff Woody Allen respectfully requests, pursuant to Federal Rule of Civil Procedure 47(a), that the Court pose the following questions to prospective jurors during voir dire, or in the alternative, as the Court may permit, allow counsel for the parties to examine prospective jurors, and ask the following questions:

**General Background**

This case involves a claim by Woody Allen that the defendant American Apparel used his picture on its billboards in New York and Los Angeles and on American Apparel's internet website without asking for his consent. American Apparel is a manufacturer and retailer of clothing and has stores throughout the United States and other countries, including New York City and Los Angeles. Mr. Allen is an actor, film director, and writer and is seeking money damages from American Apparel arising from the alleged unauthorized use of his images, in violation of his right of privacy and in violation of a Federal statute known as the Lanham Act.

**Proposed Questions**

1. Please tell us about your educational background, including where you attended high school, college and any post-graduate institution.
2.
  - (a) Please state your present occupation and name of your employer.
  - (b) Please state your prior places of employment during the past 10 years.
  - (c) Please state the employment or positions your spouse, or significant other, and any adult children have held in the last 10 years, including the name of the employer, nature of work, title or positions held, and the length of time in each position.
3. Have you or any immediate members of your family ever been a party to a lawsuit as either a plaintiff or defendant? If so, what did the case involve?
4. What organizations or clubs do you belong to?
5. How do you get your news? What newspapers do you read?
6. Do you use the Internet, and if so, how much time do you spend each day on the Internet.
7. The plaintiff in this case is Woody Allen. He is a film actor, director and writer. Have you heard of Woody Allen?
8. The defendant in this case is American Apparel. American Apparel is a manufacturer and retailer of clothing and has stores throughout the United States. Have you heard of American Apparel?
9. Have you ever shopped at American Apparel?
10. Have you ever visited American Apparel's website?

11. The president and chief executive officer of American Apparel is Dov Charney. Have you heard of Mr. Charney?
12. Have you ever seen a Woody Allen movie? Have you ever had a strong negative reaction to a Woody Allen movie?
13. Do you hold any negative opinion about Woody Allen?
14. Have you ever read anything, news stories, books or otherwise, about Woody Allen which was negative?
15. Did you form any opinion of Mr. Allen based on anything that you've heard or read?
16. Would anything you have heard or read about Mr. Allen affect your ability to be a fair and impartial juror in this case?
17. Do you have any strong negative feelings concerning celebrities, generally?
18. Do you have any negative opinions regarding celebrities being paid for their appearance in advertisements?
19. Do you have any negative opinions of celebrities who are able to command large sums of money in exchange for their appearing in advertisements?
20. Do you have any strong negative opinions about laws which protect an individual's privacy or which protect an individual's intellectual property?
21. Have you ever been the subject of a claim against you for copyright or trademark infringement or plagiarism?
22. Have you ever had a claim made against you for downloading movies or other content off the Internet, or for taking a cable television signal without permission?

23. Do you oppose large damage awards in lawsuits?
24. Do you oppose the awarding of punitive damages in lawsuits?

Dated: New York, New York  
May 4, 2009

LOEB & LOEB LLP

By: 

Michael P. Zweig (MZ-5318)  
Christian D. Carbone (CC-6502)  
Manny J. Caixeiro (MC-0218)  
Shelly Elimelekh (SE-0597)  
345 Park Avenue  
New York, New York 10154-1895  
(212) 407-4000

Attorneys for Plaintiff  
Woody Allen